

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF THE SHEET
METAL WORKERS' PENSION PLAN OF
SOUTHERN CALIFORNIA, ARIZONA AND
NEVADA; BOARD OF TRUSTEES OF THE
SHEET METAL WORKERS' HEALTH
PLAN OF SOUTHERN CALIFORNIA,
ARIZONA AND NEVADA; BOARD OF
TRUSTEES OF THE SOUTHERN
CALIFORNIA SHEET METAL JOINT
APPRENTICESHIP AND TRAINING
COMMITTEE; BOARD OF TRUSTEES OF
THE SHEET METAL WORKERS' LOCAL
105 RETIREE HEALTH PLAN; BOARD OF
TRUSTEES OF THE SOUTHERN
CALIFORNIA SHEET METAL WORKERS'
401(A) PLAN; SHEET METAL WORKERS'
INTERNATIONAL ASSOCIATION OF
SHEET METAL AIR, RAIL AND
TRANSPORTATION WORKERS LOCAL
UNION 105 DUES CHECK OFF AND
DEFERRED SAVINGS FUND; BOARD OF
TRUSTEES OF THE SOUTHERN
CALIFORNIA SHEET METAL INDUSTRY
LABOR MANAGEMENT COOPERATION
TRUST; AND SHEET METAL AND AIR
CONDITIONING CONTRACTORS
NATIONAL ASSOCIATION OF SOUTHERN
CALIFORNIA,

Plaintiffs,

v.

SIX SIGMA H V A C SERVICES; ROBERT
CARLOS ZARAGOZA; individual,

Defendants.

Case No. 2:17-cv-4744 SVW (JCx)

Hon. Stephen V. Wilson

ORDER ON STIPULATION FOR
JUDGMENT

JS-6

****Note Changes made by Court****

Pursuant to the Stipulation by and between Plaintiffs Board of Trustees of the Sheet Metal Workers' Pension Plan of Southern California, Arizona and Nevada ("Pension Plan"); Board of Trustees of the Sheet Metal Workers' Health Plan of Southern California, Arizona and Nevada ("Health Plan"); Board of Trustees of the Southern California Sheet Metal Joint Apprenticeship and Training Committee ("JATC"); Board of Trustees of the Sheet Metal Workers' Local 105 Retiree Health Plan ("Retirees Plan"); Board of Trustees of the Southern California Sheet Metal Workers' 401(a) Plan ("401(a) Plan"); Sheet Metal Workers' International Association of Sheet Metal Air, Rail And Transportation Workers Local Union No. 105 Union Dues Check-Off and Deferred Savings Fund ("Dues and Savings Fund"); Board of Trustees of the Southern California Labor Management Cooperation Trust ("LMCT"); and Board of Trustees of the Sheet Metal and Air Conditioning Contractors National Association of Southern California ("Industry Fund") (collectively the "Plans" or "Trust Funds"), and Defendants, ROBERT CARLOS ZARAGOZA ("Individual Defendant"); and SIX SIGMA H V A C SERVICES ("Company") the Court has considered the matter fully and concluded that good cause exists to approve the parties' Stipulation in its entirety.

Accordingly, **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** as follows:

1. The Company and Individual Defendant is indebted to the Plans in the total amount of \$32,996.63 as follows: contributions (including the "Savings Deferral" which are wages deducted from employee paychecks) in the amount of \$15,766.64 for the delinquent work months of December 2016, January 2017, and February 2017; \$3,153.33 in liquidated damages for late payment or nonpayment of contributions for the work months of December 2016, January 2017, and February 2017; \$1,576.66 in interest for late payment or nonpayment of contributions for the work months of December 2016, January 2017, and February 2017; attorney's fees in the amount of \$12,500.00.

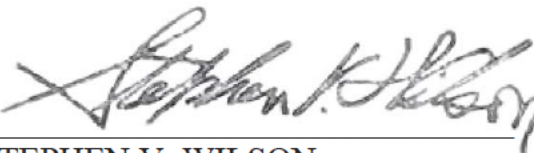
2. Judgment is entered in favor of the Plans and against the Company and Individual Defendant, jointly and severally, in the amount of \$32,996.63 in delinquent

1 employee benefit plan contributions, accrued liquidated damages, interest, attorney fees
2 and costs, together with post-judgment interest thereon at the rate of 12% per annum as of
3 the date of the Judgment.

4 ~~xxxxxx This Court retains jurisdiction over this matter through May 1, 2018 to~~
5 ~~enforce the terms of any judgment entered hereunder to order appropriate injunctive and~~
6 ~~equitable relief to make appropriate orders of contempt and to increase the amount of~~
7 ~~judgment based upon additional sums owed to the Plans by Defendants~~

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9 **IT IS SO ORDERED.**

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11 Dated: July 5, 2017

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13 STEPHEN V. WILSON
14 U.S. DISTRICT COURT JUDGE
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